

enue bonds issued under said Chapter 43, supra, and additional bonds issued for purposes permitted under said Chapter 43; enacting other provisions relating to the subject and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Adjournment

On motion of Senator Hardeman the Senate at 5:18 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

SEVENTH DAY

(Tuesday, July 7, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following senators were present:

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Wood

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"O God our Father, amid the perplexities and doubts that torment and divide us, open a plain path wherein we may walk in confidence and faith; keep us strong in courage and loyal to the faith of our fathers, through Jesus Christ our Lord. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Wood was granted leave of absence for today on account of important business on motion of Senator Moore.

Message from the House

Hall of the House of Representatives
Austin, Texas,
July 7, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 26, An Act amending Subsection (2), Section 1, Article 3.50 of the Insurance Code by defining the word "member" as used in said Subsection (2); and declaring an emergency.

H. B. No. 29, An Act to authorize and direct the Game and Fish Commission to negotiate and make reciprocal agreements to allow sport and commercial fishermen to fish and sportsmen to hunt migratory water fowl on lakes and rivers located upon a common boundary with another state, allowing reciprocal agreements on license with other states and repealing all laws in conflict; granting the Commission power to issue proclamations, rules and regulations to carry out such agreements; providing a penalty; and declaring an emergency.

H. B. No. 33, An Act relating to Port of Beaumont Navigation District of Jefferson County, Texas; authorizing said District to issue tax bonds, revenue bonds, and combination tax-revenue bonds; and containing provisions relative thereto; providing that this Act shall be cumulative of other laws pertaining to said District; providing a severability clause; and declaring an emergency.

H. B. No. 34, An Act creating a conservation and reclamation district under the provisions of Section 50, Article XVI, Constitution of Texas, to be known as "Mayfair Park Municipal Utility District"; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing other provisions re-

lating to the subject; providing a severability clause; and declaring an emergency."

H. B. No. 38, An Act amending Article 494a, Vernon's Code of Criminal Procedure, increasing attorney fees for representation of indigents accused of felony offenses; providing that attorney fees may be paid; providing for fees on pleas of guilty; repealing all laws or parts of laws in conflict herewith; expressly repealing Section 1A of Chapter 10, page 25, Acts of the Fifty-second Legislature known as Section 1A of Article 494a, Vernon's Code of Criminal Procedure; and declaring an emergency.

H. B. No. 40, Authorizing the Board of Water Engineers to grant water permits in certain counties for between two hundred (200) acre-feet and eight hundred (800) acre-feet for a term of years not to exceed twenty (20) years; amending Chapter 1 of Title 128 of the Revised Civil Statutes of Texas, 1925, by adding thereto a new Article to be known as Article 7515b; providing that this Act be cumulative of other laws; and declaring an emergency.

H. B. No. 49, Entering into the Southern Interstate Nuclear Compact; setting out the text of the Southern Interstate Nuclear Compact; providing for the designation of this State's member on the Board created thereby and setting out the duties of the Board Member; providing for the coordination of atomic functions and the establishment of an Advisory Committee; providing for supplementary agreements; providing for co-operation between the Board and the departments, agencies and officers of this State; and declaring an emergency.

H. B. No. 51, Relating to the creation of a county-wide independent school district for certain counties; providing a procedure for election; providing a procedure where county-line school districts exist; providing for procedures after election; providing for the appointment and election of trustees; providing for the powers, rights, duties, privileges and qualifications of trustees; providing for the determination of terms of office of trustees and relating to taxation, management, and financing powers; providing for continuance of mainte-

nance and bond taxes and assessed valuation in each district until changed as provided; providing for procedures for trustee elections, levying, assessment and collection of taxes, assumption of debt and issuance of bonds; providing certain exemptions; providing for partial invalidity; providing for preference of this Act over conflicting laws; and declaring an emergency.

H. B. No. 56, Relating to the taking, or catching of catfish from the waters of the Trinity River in Chambers County, Texas, excluding the waters of Trinity Bay; repealing conflicting laws; and declaring an emergency.

H. B. No. 59, Amending Section 8 of Chapter 427, Acts of the Fifty-fourth Legislature, Regular Session, 1955, so as to fix the minimum and maximum salaries of certain officials in Dallas County, Texas; and declaring an emergency.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

(Senator Hardeman in the Chair.)

Bills Signed

The Presiding Officer announced the signing by the President in the presence of the Senate after the captions had been read, the following enrolled bills:

S. B. No. 16, A bill to be entitled "An Act amending Section 1 of Chapter 214, Acts of the 51st Legislature, Regular Session, 1949, by correcting the boundary description of Hidalgo County Road District Number 11; and declaring an emergency."

S. B. No. 20, A bill to be entitled "An Act empowering any city which heretofore has held an election authorizing the sale of its natural gas system to lease such system and to grant to the lessee or to others an option to purchase such system; prescribing certain conditions under which such contract may be made; enacting other provisions related to the subject; and declaring an emergency."

S. B. No. 23, A bill to be entitled "An Act amending Chapter 412, Acts of the 53rd Legislature, Regular Session, 1953, as amended by Chapter 193, Acts of the 54th Legislature,

Regular Session, 1956, Chapter 31, Acts of the 55th Legislature. Second Called Session, 1957, so as to provide certain adjustments in the number of Directors to be appointed from the City of Tyler in the event said City shall be annexed to the District; etc.; and declaring an emergency."

S. B. No. 26, A bill to be entitled "An Act authorizing certain home rule cities to pledge an ad valorem tax to the payment of airport operation and maintenance expense as a supplement to the revenues and income derived from the operation of their airport or airports; providing that said tax shall be used for such purposes to the extent required by an ordinance authorizing issuance of airport revenue bonds under provisions of Chapter 43, Acts of 53rd Legislature, First Called Session, 1954, as amended; authorizing the making of certain covenants in proceedings issuing such bonds with respect to the use of said tax for such purpose; making said tax for such purpose available for like use upon issuance of bonds to refund outstanding revenue bonds issued under said Chapter 43, supra, and additional bonds issued for purposes permitted under said Chapter 43; enacting other provisions relating to the subject and declaring an emergency."

Senate Bill 33 on First Reading

By unanimous consent the following bill was introduced, read first time and referred to the Committee indicated:

By Senator Hazlewood:

S. B. No. 33, A bill to be entitled "An Act amending Art. IV, House Bill No. 20, Acts of the 47th Legislature, 1941, Chap. 173, page 245 (being Article IV, Sec. 22 of Art. 3687b, Vernon's Ann. Civil Statutes of Texas, 1925, as amended), by adding a new subsection (c) under subsection (b) thereof, and providing for the manner of appeals and the setting aside of the ruling or decision of the Department of Public Safety where driver's licenses are suspended, under certain conditions; prohibiting the taking of driver's licenses except by order of a court of competent jurisdiction; providing for appeals to be made to the county court or county court at law of the residence of the licensee; prohibiting the suspension of a license pending appeal; providing for setting aside

any order of suspension; providing for priority and the advancement of appeals on court dockets; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bills on First Reading

Pursuant to the provisions of the Emergency Message received from the Governor on July 2, 1959, the following bills were introduced, read first time and referred to the Committees indicated:

By Senator Hazlewood:

S. B. No. 34, A bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59, of the Constitution comprising the territory contained within the Counties of Hansford and Ochiltree, to be known as "Palo Duro River Authority of Texas," for the purpose of providing a source of water supply for municipal, agricultural, irrigation, livestock raising, domestic, industrial, oil field flooding and mining uses, and processing and transporting the same; providing for a Board of Directors to govern said Authority; authorizing the Authority to do all things to make available for the above named uses, water from surface sources; empowering the Authority to acquire land and construct, lease or otherwise acquire all facilities necessary or useful in diverting, impounding, storing, processing or transporting water for the above name purposes; authorizing the issuance of bonds and making a provision for the payment and security thereof; making applicable to the Authority Title 52, Revised Civil Statutes as amended, relating to eminent domain and declaring the Authority to be a municipal corporation within the meaning of Article 3268 of Title 52; providing that the Authority shall bear the expense of relocation, raising or rerouting of any highway, railroad or utility lines or pipe lines made necessary by its exercise of the power of eminent domain; prescribing other powers and duties of the Authority; enacting other provisions relating to the subject; providing for severability and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Crump:

S. B. No. 35, A bill to be entitled "An Act setting a bag limit on wild turkey in Kerr County; providing penalties for violations; and declaring an emergency."

To the Committee on Game and Fish.

(President in the Chair.)

Senate Bill 6 on Third Reading

The President laid before the Senate on its third reading and final passage the following bill:

S. B. No. 6, A bill to be entitled "An Act relating to tuition and fees at State-supported institutions of higher education; amending Chapter 237, Acts of the Fortieth Legislature, 1927 (compiled as Article 2654a of Vernon's Civil Statutes of Texas; authorizing the governing boards of State educational institutions to make and collect laboratory charges, and 'breakage' or loss deposits; defining State educational institutions; defining and authorizing student service fees to be collected from students enrolled in such institutions; regulating the custody and expenditure of moneys collected through student service fees; amending Section 1 of Chapter 6, Acts of the Forty-third Legislature, First Called Session, 1933 (compiled as Section 1 of Article 2654b-1 of Vernon's Civil Statutes of Texas), relating to exemptions from the payment of fees and charges; providing an effective date; providing for severability; and declaring an emergency."

The bill was read the third time.

Senator Gonzalez raised the point of order that S. B. 6, having once been ruled, on point of order, not to be within the Governor's call for this Special Session, cannot be further considered at this Session.

(Note: Emergency message from the Governor submitting subject matter of S. B. 6 received July 2, 1959.)

The President overruled the point of order.

(Pending discussion by Senator Gonzalez of S. B. No. 6 Senator Hardeman occupied the Chair.)

(President in the Chair.)

Question on final passage of S. B. No. 6, Yeas and Nays were demanded.

(Senator Hardeman in the Chair.)

S. B. No. 6 was finally passed by the following vote:

Yeas—15

Aikin	Moffett
Colson	Parkhouse
Dies	Ratliff
Fly	Reagan
Hardeman	Roberts
Hazlewood	Smith
Lane	Weinert
Martin	

Nays—14

Baker	Krueger
Bradshaw	Moore
Crump	Owen
Fuller	Phillips
Gonzalez	Rogers
Hudson	Secrest
Kazen	Willis

Absent

Herring

Absent—Excused

Wood

(President in the Chair.)

House Concurrent Resolution 7 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 7, Granting J. W. Doremus, et al. permission to sue the State of Texas.

The resolution was read and was adopted.

Senate Concurrent Resolution 5 on Second Reading

The President laid before the Senate on its second reading the following resolution:

S. C. R. No. 5, Granting National Car Rentals permission to sue the State of Texas.

The resolution was read and was adopted.

House Bills on First Reading

The following bills received from the House, were read the first time

and referred to the committees indicated:

H. B. No. 23, To the Committee on State Affairs.

H. B. No. 29, To the Committee on Game and Fish.

H. B. No. 33, To the Committee on Water and Conservation.

H. B. No. 59, To the Committee on Counties, Cities and Towns.

H. B. No. 40, To the Committee on Water and Conservation.

H. B. No. 49, To the Committee on Counties, Cities and Towns.

H. B. No. 51, To the Committee on Education.

H. B. No. 56, To the Committee on Game and Fish.

H. B. No. 34, To the Committee on Water and Conservation.

H. B. No. 26, To the Committee on Insurance.

H. B. No. 38, To the Committee on Jurisprudence.

Adjournment

On motion of Senator Hardeman the Senate at 11:20 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of
Andrew T. Sanders

Senator Willis offered the following resolution:

(Senate Resolution 43)

Whereas, On the Fourth Day of July, in the Year of Our Lord, Nineteen Hundred Fifty-nine, Almighty God in His Infinite Wisdom, called Andrew T. Sanders to his Eternal Reward; and

Whereas, The passing of this good man marks a loss to Tarrant County and the State of Texas of one of their most worthy and outstanding citizens; and

Whereas, He was dedicated to the welfare and progress of his Church, Profession and Community as a member of the Birdville Church of Christ. He contributed his energy and health to the safety of his fellowman by working as a fire fighter for 38 years; and

Whereas, He was a devoted husband, loving father and considerate neighbor and numbered his friends from all walks of life who benefited by his dedication to his God and his Country; now, therefore, be it

Resolved, by the Senate of Texas, That a page in the Senate Journal be set aside as a memorial to this good man, and that official copies of this resolution be sent to members of his family as a tribute to his life; and, be it further

Resolved, That when the Senate adjourns today, it do so in honor and in memory of Andrew T. Sanders.

The resolution was read and was adopted by a rising vote of the Senate.